



Chairperson: Bob Wyatt, NW Natural
Treasurer: Frederick Wolf, DBA, Legacy Site Services for Arkema

February 12, 2015

Kristine Koch
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 900, M/S ECL-115
Seattle, WA 98101-3140

Re: EPA Proposed Final Feasibility Study Section 1 (Lower Willamette River, Portland Harbor Superfund Site, USEPA Docket No: CERCLA-10-2001-0240)

Kristine:

EPA transmitted to the LWG via email on January 9, 2015 a version of Feasibility Study (FS) Section 1 with the file name "2015-01-09 Proposed Final Portland Harbor FS Section 1.docx". This file included additional revisions made by EPA since LWG last submitted detailed edits to EPA on the previous version on September 17, 2014. This file appears to also include additional revisions made to the document since the last version provided by EPA to LWG on December 17, 2014. The LWG has reviewed this most recent version of FS Section 1 and is providing the attached file with our comments. The file presents redlined text and embedded comments to facilitate your review. EPA's changes since September 17, 2014 are shown as redline of one color, and the LWG suggested edits and comments are shown with a second color. The LWG comments fall into three categories that are noted at the start of each comment in all capital letters as follows:

- **Comments on Recent Text** – These are comments regarding EPA's most recent changes as noted by the redlines discussed above. The LWG has not previously been provided an opportunity during the FS Section 1 review process to provide input on these most recent changes. We request that EPA consider the LWG input on these most recent changes to FS Section 1 by EPA.
- **New Comments** – These are comments regarding text that was not recently modified by EPA, but the LWG believes will make the text more factually accurate and should be fully considered by EPA.
- **Reiterated Comments** – These are comments similar to some past LWG comments that EPA appears to have considered and not adopted. In most cases, the reiterated comments offer an alternate proposal to the previously identified issue that the LWG believes would still improve the accuracy of the text and that EPA should fully consider.

In addition, the LWG reiterates that the information discussed in the LWG comment letters dated August 29, 2014 and January 2, 2015 provides necessary scientific and legal support for EPA's remedy selection and should be included in Section 1. Federal regulations state that "the development and evaluation of alternatives [in the FS] shall reflect the scope and complexity of

the remedial action under consideration and the site problems being addressed.” 40 CFR 300.430(e)(1). Deletion of a robust conceptual site model and site-specific conditions, for example, results in a FS that does not reflect the “scope and complexity” of the remedial action and site problems and does not provide appropriate development and evaluation of alternatives. We attach the January 2, 2015 letter again, and to the extent EPA has not made the revisions requested, then those comments remain relevant and should be incorporated in Section 1.

Finally, as noted by some of the attached comments, it is our understanding that EPA used preliminary information from DEQ during DEQ’s development of the Source Control Summary Report (SCSR) for Portland Harbor to develop Section 1. DEQ subsequently issued the report in November 2014. The LWG is reviewing the FS Section 1 subsections on groundwater and riverbank sources for consistency with the now available SCSR. The LWG will soon submit to EPA additional detailed comments on FS Section 1 regarding the consistency between these two documents and the accuracy of the source text in FS Section 1.

Please let me know if you have any questions about these comments.

Sincerely,



Bob Wyatt

cc:

Sean Sheldrake, U.S. Environmental Protection Agency, Region 10
Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of the Grand Ronde Community of Oregon
Confederated Tribes of Siletz Indians of Oregon
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs Reservation of Oregon
Nez Perce Tribe
Oregon Department of Fish & Wildlife
United States Fish & Wildlife
Oregon Department of Environmental Quality
LWG Legal
LWG Repository